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ABSTRACT

An interpretive overview of Georgia's response to the 1954 school desegregation decision is presented. The study, approached historically, concludes that massive resistance to desegregation crumbled in the state in large part due to forces within the state. It is argued that the public's commitment to public education was stronger than its support of strict segregation, and this was significant because it took state government out of the business of legislating resistance and thus moved Georgia toward a more free and equitable society. Bibliographies list 64 primary and secondary sources. (SLD)

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Georgia's Response to

Brown v. Board of Education:

The Rise and Fall of Massive Resistance,

1949-1961

by

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A paper presented at the 1993
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T.V. O'Brien
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Today I will speak about a topic that has captured much of my energy and imagination for the last 3 years. The paper is entitled "Georgia's Response to Brown v. the Board of Education, the Rise and Fall of Massive Resistance, 1949 to 1961." It is an overview and interpretive summary of my doctoral dissertation which I successfully defended one year ago, here in Atlanta. First, I plan to tell you briefly why I undertook a study of Georgia's recent educational past. I will then present a summary of my findings.

This project is the product of five years of graduate study at Emory University in the Division of Educational Studies. Professor Charles Strickland, who guided me through the dissertation process, is most responsible for my choice to pursue this specific course of study. In 1989, after I had studied under him and worked with him in planning the undergraduate Foundations of Education Course, he remarked that he knew of no study that chronicled Georgia's reaction to Brown v the Board of Education, and that such a topic was, in his words "about the right size" for a dissertation. He also pointed out that I was in the right place to attempt such a study. Upon review of the scholarship on Georgia's response the Brown, I discovered Professor Strickland was right. In short, there was no study that chronicled and explained the rise and fall of Massive Resistance in Georgia, that took into account both the forces opposing the Brown decision and those that leaned toward compliance.

The Rise of Massive Resistance

There can be little doubt about the root causes of massive resistance: white supremacy beliefs and resistance to change. Thus, it comes as no surprise that massive resistance was triggered, in large part, by the National Association for the Advancement of Colored People's crusade for equal opportunity.

In the early years of the 20th century, the black quest for first class citizenship took the form of a legal campaign designed to remove the color line in all aspects of American, but particularly Southern life (Kluger, 1977; Tushnet, 1981, 1987). The NAACP waged a battle in the federal courts to gain admission for blacks first to white graduate and professional schools and later to white elementary and secondary schools. In the late 1930s and 1940s the NAACP -- led by Charles Houston and Thurgood Marshall -- began experiencing significant courtroom victories, and continued to maintain constant pressure for desegregation, which was thought to be the key to equality.

Simultaneously, the crusade began receiving encouragement from the executive branch of the federal government. President Harry Truman's Fair Deal was helpful to blacks in their quest for equality (ADW, December 14, 1948, p. 1; Billington, 1973, p. 131; Cremin, 1988, p. 256-7; Perrin, 1991). Truman's stands against prejudice led to many reports condemning discrimination; and his executive order ending segregation in the military set the stage for the NAACP's frontal assault on the South's system of legal segregation.

Yet, the black quest for first class citizenship was not the only egalitarian movement underway in post-World War II America. In the middle 1940s the crusade to equalize educational opportunity, was another national movement that emerged with force (Douglass & Grieder, 1948, p. 414; "Expenditures," 1954, p. 54, 86; Walhquist, Arnold, Campbell, Reller & Sands, 1952, p. 377). This so-called "foundations" movement was nurtured in the same post-War climate of idealism as the black quest for first-class citizenship. It was also assisted by Cold War competition and reports that inadequate public education had compromised the nation's military strength and, if left unattended to, would damage the nation's infrastructure (Norton & Lawler, 1944; Norton, 1946). The foundations movement, however, was initiated by whites who emphasized the elimination of geographic and class disparities in education, but side-stepped the issue of racial equality.

In the post-War period, Georgia was caught up in this major educational crusade that was part of the great expansion of public education (Alderhold, 1947). The movement to equalize educational opportunity for all children no matter where they lived had great appeal for Georgia, which at mid-century was one of the poorest states in the union. The movement had special appeal for the white, rural Georgians who lived in poor counties that could not support an adequate public school system.

Georgia's educational establishment was well-aware of the national foundations movement. Key statesmen embraced the

movement and sought to secure more state funding for school equalization. These leaders believed that the disparities that were inherent in a county-supported school system could be improved through state-level intervention, and thus crusaded state-wide with the message that common school education must be improved and equalized. The leaders sponsored the Minimum Foundations Program of Education (MFPE), a bill that emphasized eliminating social class and geographical disparities in the funding of common school education (Georgia Laws, 1949, p. 1407-1423).

The crusade for equal schools faced two significant difficulties, one economic and the other ideological. First, although Georgians were already taxing themselves at a higher rate than most other states, they were still achieving a lower per-pupil expenditure because of a low tax base and a high ratio of school-age to total population. Funding for school improvement would not be easy to obtain. Second, the leaders themselves faltered when they awoke to the realization that the equalization of funding for "all schools" could mean taking some white tax-payers' money and spending it on black schools. The result was an indecisive moment in Georgia politics when education crusaders struggled with whether to put class interests above race interests or vice versa.

From the moment the school/race debate began, Georgia political boss Roy V. Harris emerged as the ideological leader of the movement to resist equality for blacks. Harris, in spite of

his enthusiasm for equalizing educational opportunity for whites, would prefer for the state to abandon public education rather than participate in any school desegregation. Harris valued white supremacy above all else. Using his power, Harris fanned the flames of racial hatred and bigotry. His efforts polarized racial groups and created an atmosphere of intolerance that minimized any opportunity for voluntary change (AUC, 1948-1954).

By 1949, Herman E. Talmadge, then governor of Georgia, saw an opportunity to make political hay from the school/race issue. Citing the string of U.S Supreme Court decisions, Talmadge used the threat of federally forced "racial mixing" to garner support for a school equalization program that would perpetuate segregation under the separate-but-equal doctrine. "Northern agitators," he claimed, were trying to move "Negro children in the nearest most convenient white schools" (AJ, August 8, 1949, p. 6; NYT, September 10, 1949, p. 56; NYT, October 23, 1949, p. 5). Ironically, Talmadge used white racist sentiment as a vehicle for securing funds for Georgia's first significant school equalization program, which required equalization of resources for white and black schools. The alliance between segregation and equalization in 1950 marked the first time that the white Georgia leadership embraced in practice the doctrine of separate-but-equal that they had endorsed in principle for fifty-four years.

But, powerful white Georgians were aware of the rising tide of the black quest for equality. They knew that their efforts to

equalize schools--after ignoring the "equal" requirement of the separate-but-equal doctrine--might prove to be "too little, too late" to hold back surging currents favoring racial justice. As early as 1948 Harris had warned that the NAACP strategy and the national climate favored eliminating legal barriers (AUC, January 3, 1949, p. 1). Harris, who championed equalization of schools for poor and rural whites, criticized equalization of schools for blacks. He viewed the NAACP's law suits asking for equal facilities as first steps toward desegregation. By 1950, Sweatt v. Painter and McLaurin v. Oklahoma, two U.S. Supreme Court decisions in higher education, reinforced Harris' hunch. Then, at the Georgia Democratic Party Convention, the Harris-led delegates passed two important resolutions that would set in motion the state's educational policy for the next ten years. The party denounced Sweatt and McLaurin and resolved to defy both rulings. They also resolved to fund in full the school equalization program, the MFPE, within the separate-but-equal philosophy (AC, August 10, 1950, p. 1; NYT, August 9, 1950, p. 1; ST, August 17, 1950, p. 1,4). Taken together the resolutions represent an early crystallization of massive resistance--and the key to its demise. Soon thereafter the Atlanta chapter of the NAACP filed a suit in federal court in September of 1950 (Aaron v. Cook, 1950; Mays, 1950; NYT, September 24, 1950, p. 77; NYT, September 26, 1950, p. 1950). The Atlanta suit, Aaron v. Cook, though it was never pursued by the NAACP, sought to defeat legal segregation in the public schools. Aaron v. Cook inspired the

Roy Harris, who a liberal observer once claimed led the Georgia's "legislative sheep . . . into some strange pastures and occasionally into the slaughter rooms" (Williams, 1949, p. 13) to devise a plan for shifting to a private school system. Harris offered Georgians a plan to preserve racially segregated schools. White Georgians, Harris argued, "ought to do away with the public school[s] . . ., take the 97% of the money they spend on public education and create a real system of education for the white people of the state" (AUC, October 2, 1950, p. 1).

For Herman Talmadge, Aaron v. Cook was a political gift. During his campaign for re-election, he appealed to and fueled whites' fears of racial mixing to demonstrate the necessity of the three-percent sales tax. This tax would generate an additional ten million dollars, most of which was earmarked for public education. And, for a brief moment in Georgia history, educational gains were made at the expense of race relations. As the color line hardened under the threat of "race mixing," the dual systems of education improved.

But the Talmadge policy was a double-edged sword. While it cut a bigger piece of the pie for public education, it also threatened to destroy the tradition of public schooling altogether. By late 1953, Talmadge had transformed the rhetoric of destruction into a constitutional amendment that would relieve the state of the obligation to provide an adequate education for its citizens (Georgia House Journal, 1953, p. 1000). The Harris threat was transformed into a permit to allow the legislators to

close the public schools and was called the "private school plan." Thus, Talmadge's educational policy embodied both a promise and a threat. He promised increased funding and eventual equalization for black schools. He also threatened to close the public school system entirely if any school began to desegregate.

The private school plan did not go unnoticed by the people of Georgia. The private school amendment, designed to carry out the plan, triggered a hotly contested debate in Georgia shortly after the Brown decision was handed down in 1954. Public school advocates challenged segregationists state-wide. "The public school tradition," they declared, "like the water supply, was too important to fool with an must be left alone" (MacKay interview 1991). State School Superintendent M.D. Collins declared the he was not "hired to liquidate the public schools" (ADW, October 1, 1954, p. 10; SSN, November 4, 1954, p. 10). As the vote neared, two out of every three dailies in the state came out against the plan. The Georgia League of Women Voters and the Negro Voters Leagues encouraged a large turnout to defeat the amendment. But with the Brown decision only six months old, and with the Talmadge faction's deft use of the race issue--its old stand-by--the amendment was ratified by 54% of the voters (AC, November 3, 1954, p. 1,3). Those voters who ratified the amendment were assured by Talmadge supporters that their schools would not undergo any substantive changes. Thus, most Georgians believed they could continue to improve their dual systems and maintain segregation. Governor-elect S. Marvin Griffin joined Talmadge

and argued that shifting to a private system would not be difficult. Private schools, he assured, would only be attempted as a last resort measure. Encouraged by Brown I, that gave no injunctive relief to blacks, Brown II's "deliberate speed" clause, and by the cautious approach to desegregation in the black community, Governor Griffin elaborated upon the private school plan in 1956, securing enabling legislation for the plan. Throughout his tenure as governor, Griffin was unwavering in his determination to follow a policy of defiance. Meanwhile, schools in the state continued to be improved and equalized within the separate-but-equal philosophy.

Aware of the political necessity of the maintaining a posture of defiance, S. Earnest Vandiver was elected to the state's highest office in 1958 on a campaign pledge that "no, not one" black Georgian would go to a school with a white Georgian. Vandiver inherited and endorsed a full-blown policy of resistance to Brown. He would later preside over the fall of that policy in 1961.

The Fall of Massive Resistance

Open defiance of federal law crumbled in Georgia in 1961 when the legislature voted to repeal the private school plan and accept token desegregation at the University of Georgia and four Atlanta public high schools. Although many factors combined to bring about the fall of massive resistance, perhaps the most significant was the public's dedication to the public school system that it had recently worked so hard to improve. Thus,

ardent segregationists Talmadge and Harris unwittingly nurtured the seeds of desegregation when they crusaded for improved public education.

Among the factors in Georgia that contributed to the fall of massive resistance was the change of guard in the black commununity. E.E. Moore and Donald Hollowell, two younger lawyers replaced the more conservative A.T. Walden as the new NAACP leaders in the fight against segregated schools. These attorneys were better prepared and more committed to breaking down the separate-but-equal doctrine than Walden. They dropped Walden's non-confrontational petition strategy and filed the specific court cases that occasioned the fall of massive resistance in Georgia.[1]

Also within Georgia, moderate whites began a debate on the school/race issue that was to compete with segregationist rhetoric. A small group of state legislators, known as the "Sinister Seven," -- led by James A. Mackay -- fought against the private school plan, and issued a strongly worded declaration arguing that public schools were Georgia's "greatest asset" (Mackay, 1958). A larger group of Georgia ministers followed with a statement that argued that public education was "essential to the preservation of democracy," as did Emory Professor John A. Griffin, who started dialogue about the school/race issue among the South's most respected newspaper editors (AJC, November, 3,

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[1] Holmes v. Danner, which sought to desegregate the University of Georgia, and Calhoun v. Latimer, which sought to remove the race line secondary education in Atlanta.

1957, p. 6a; "Crisis in the School Tapes," 1957, 1958, Emory University Special Collections; Fort, 1959). This alternative discourse emphasized the importance of keeping the public schools open. Open-schools rhetoric reminded Georgians of the tremendous efforts they had made in the post-War period to improve and equalize their systems of public education. By 1958, their children were sitting in modern classrooms nine months a year, and were instructed by better paid and better prepared teachers. There was also a growing consensus within the state, particularly in Atlanta, that preserving public schools was more important than preserving total segregation. During this time Help Our Public Education, Inc. (HOPE) emerged as the most vocal and the best organized group advocating keeping the public schools open. HOPE steered clear of the segregation-integration argument, narrowing their campaign to rallying public support for continuing the tradition of public education. As HOPE activist, Mrs. Francis Pauley explained in 1958, "HOPE will not enter into the controversy of segregation vs. integration.. . . We want . . . public schools operating legally.. . . If a school is closed anywhere in Georgia," Pauley explained, HOPE "will work to reopen it as a public school" (Mertz, 1988, p. 6,7). HOPE chose to remain an all-white organization that worked to persuade whites to keep the public schools open and the public school tradition alive. As Muriel Lokey, another HOPE organizer recalled, staying white was a "tactical necessity," yet for many members "it was not an easy policy to endorse" (Lokey, 1989). By 1960, because

of a growing body of legal precedent against massive resistance in other states and a well-coordinated campaign by HOPE, the open schools position competed vigorously with the segregationist position on the school/race issue.

Segregationist rhetoric, however, had been the key to political life in Georgia for well over a decade. As late as 1960, even politicians who knew segregation was doomed felt required to shout that they would never desegregate. Although Governor Vandiver was politically committed to strict segregation, he was also aware of the groundswell of support for public schools. By 1960, Vandiver found himself under considerable pressure from the imminent federal court decision in Calhoun v. Latimer, the Atlanta Public Schools desegregation suit, and from the reappearance of former moderate governor Ellis Arnall, who threatened to run for governor on the open-schools issue (Bartley, 1990, p. 215; SSN, June, 1959, p. 16). A troubled Vandiver took the middle-of-the-road and postponed the inevitable choice between public schools and segregation by appointing a commission to study the school/race issue (Vandiver, 1988). He appointed John Adams Sibley, a distinguished lawyer and well-known banker, to head the commission to canvass the state and figure out how the people felt about strict segregation versus public education (Bell, 1991, p. 146-147; Sibley, 1960). The Sibley Commission's massive study generated further support for public education over strict segregation in several ways. First, Sibley gave open school advocates equal time and

consideration with segregationists. Moreover, his inclusion of the open schools view, and his exclusion of the pro-integration view voiced largely by blacks, legitimized HOPE's goal of continued public education. Although the Sibley report fell short of supporting Brown, it unequivocally endorsed the open schools position.

Concomitant with the Sibley hearings, the black direct-action campaign seeking full and unconditional integration in all areas of Southern life reached Georgia. Although at the time the moderates thought that the direct-action initiative would destroy the momentum of the open schools campaign, it had the opposite effect. By assuming the appearance of the radical left fringe, the direct-action campaign moved the open schools position into the mainstream. By the summer of 1960 the views of HOPE and other pro-public school groups were clearly part of the mainstream of white Georgian thought. By year's end some of the state's most powerful and respected "segregationists" had contributed to the open schools movement by counselling other politicians to abandon massive resistance in order to maintain political control of the state. James Peters, the new behind-the-scenes political boss, for example, argued that the Georgians favored public education over strict segregation, and that "leaving three quarter of a million children in the streets . . . growing up in ignorance" would give Ellis Arnall the political issue he wanted. "Given 12 months with our schools closed to register 600,000 Negroes and to convince the mothers and the

fathers" of this irresponsible act, Peters warned, "would put the integrationists in control of Government for decades to come," spelling political disaster for the incumbents (AJC, January, 1960, p. 21).

By 1961 Governor Vandiver knew that some racial desegregation of the schools in Georgia, though politically unpopular, was inescapable, and that massive resistance to it was legally futile. He also believed that the tradition of public education--which had been highlighted by the Sinister Seven, organizations like HOPE, and others could not be sacrificed, even temporarily, without major adverse political consequences. Unexpectedly, when the school/race show-down shifted from Atlanta to the University of Georgia, Vandiver was under additional pressure to abandon massive resistance. After a series of calculated face-saving moves, Vandiver went along with a federal court ruling ordering two black college students to be admitted to the University of Georgia immediately. Amidst a growing climate of acceptance of token desegregation, Vandiver ushered out massive resistance and ushered in compliance.

Moderate individuals and groups like John Griffin, Ralph McGill, the Southern Regional Council, various church and civic groups and HOPE must be credited with creating a climate for open exchange on the school/race issue in the midst of a hostile environment. HOPE leaders should also be credited with mounting a well-organized, and well-executed movement that contributed significantly to the ultimate survival of the public schools.

Their campaign also was significant because it contributed to Georgia's compliance with the Brown decision. HOPE's efforts to keep the schools open resulted in unlocking the door of segregation, which was thought to stand between blacks and the promise of real educational equality. HOPE and other open school groups promoted the first peaceful common school desegregation in the Deep South.

Unlocking the door, however, and pushing the door open are two different actions. Thus, while HOPE's campaign was critical in facilitating the acceptance of token desegregation, it did not take the further steps of facilitating integration or continuing to lobby for support for the public schools. When HOPE decided its work was done, nine black children in Georgia were in four previously all white schools. One-hundred-and-ninety-eight districts in the state were still segregated. By 1963 only three more districts had begun desegregation.

Much of the scholarship that has addressed the fall of massive resistance has argued that the white South's decision to allow for the public schools to desegregate was little more than a "pragmatic adjustment to reality." These scholars view the fall of massive resistance as a mere shift to passive resistance, or nothing more than a continuation of the dominant theme of Southern history, white supremacy.[2] Other scholars[3] have

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[2] (Bartley, 1969, p. 342, 343; Ely, 1976, p. 132; Jacoway, 1982, p. 7)

suggested that an awakening did occur in the South, but have "focused on events outside" of Georgia and the South in explaining this "softening" on the fundamental issue of race (Jacoway, 1982, p. 14; Plank & Turner, 1987, p. 595). This study joins a third body of scholarship[4] that has re-examined the continuity theory and the explanation for outside change by arguing first, that a significant legal change did occur in Georgia beginning with the collapse of massive resistance to school desegregation and the repeal of the private school plan. Moreover, this study argues that the change in law was brought about, in large part, by forces within the state of Georgia. The black community was firm in its commitment to desegregate the Atlanta public schools and was persistent in pressing litigation aimed at removing the color line. Moderate community leaders worked collectively to weaken massive resistance rhetoric and to replace it with open schools rhetoric, and thus appealed to Georgians who had demonstrated that they valued the tradition of public education. Thus, this study concludes that most Georgians placed a higher value on state's tradition of public education than on strict segregation by race. This is not to say that many state leaders and white citizens of Georgia did not continue

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[3] (Billington, 1973; Clark, 1965; Cremin, 1988, p. 255-272; Kluger, 1977; Marshall, 1964; Matthews & Prothro, 1964; Ravitch, 1983, chap. 4,5; Tushnet, 1984, 1987; Wilkinson, 1979)

[4] (Bartley, 1990, chap. 9; Bass, 1981; Dowdey & Dannenbaum, 1989; Jacoway, 1982; Jacoway & Colburn, 1982; Henderson & Roberts, 1988; Hornsby, 1982; McCain, 1968; Mertz, 1988; Plank & Turner, 1987; Peltason, 1961; Woodward, 1974)

to value white supremacy. Many did. It did not, however, necessarily dominate the minds and behavior of all of those who lived in Georgia in 1961, as historian Newman Bartley (1969) suggested. In 1961, the state of Georgia removed itself from the business of legislating and executing a policy that openly supported white supremacist ideology. "Stateways" did change, and changed, in part, because of "folkways" within the state that valued the tradition of public education over strict segregation. Yet, in contrast to Elizabeth Jacoway (1982, p. 14), I find little evidence that this change in law resulted in a significant awakening in the "minds of Southern whites" (Jacoway, 1982, p. 14). Certainly more research is needed to understand the consequences that this significant change in law had on the behaviors and thoughts of all Georgians. This study, however, does illustrate that the public school issue gave some moderate and liberal Georgians a sturdy platform on which to argue indirectly for more social justice for black Georgians. This victory was significant because it marked the beginning of the erosion of state-level political structures that openly supported white supremacy ideology. This study concludes that this erosion -- brought on in part by forces within the state of Georgia -- was an important and necessary step in moving Georgia toward a more free and more equitable society.

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This paper provides an interpretative overview of Georgia's response to the 1954 school desegregation decision. The study, approached historically, concludes that massive resistance to desegregation crumbled in the state, in large part, due to forces within the state. The author argues that public's commitment to public education was stronger than their support of strict segregation, and this was significant because it took state government out of the business of legislating resistance, and thus moved Georgia toward a more free and equitable society.

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